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Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

ROY NELSON III, successor-in-Interest to
Decedent ROY NELSON; ORNELL
STEVENS, individually,
v.
Plaintiffs,
CITY OF HAYWARD, a municipal
corporation; and DOES 1-50, inclusive,
individually and in their official capacity as
police officers for the City of Hayward
Case No.: 3:16-cv-7222-SK
PLAINTIFF'S ATTORNEY PATRICK
BUELNA'S DECLARATION IN
SUPPORT OF PLAINTIFFS' MOTION
FOR PARTIAL SUMMARY
ADJUDICATION
Date: December 31, 2018

Defendants.

I, PATRICK M. BUELNA, declare:

1. I am the attorney of record for Plaintiff in this action. I am licensed to practice in the state of California and the Northern District of California. I have personal knowledge of the facts contained in this declaration, and if called upon to testify I could and would testify competently as to the truth of the facts contained herein.

2. I have attached a true and correct copy of portions of Defendant Hall's deposition as **Exhibit 1.**
 3. I have attached a true and correct copy of portions of Defendant McKee's deposition as **Exhibit 2.**
 4. I have attached a true and correct copy of portions of Defendant McCrea's deposition as **Exhibit 3.**
 5. I have attached a true and correct copy of Defendant McCrea's Body Worn Camera disclosed to Plaintiffs as 00545 "5150(2)" and attached as **Exhibit 4.**
 6. I have attached a true and correct copy of Defendant Hall's Body Worn Camera disclosed to Plaintiffs as 00545 "In_Custody_Death(5)" and attached as **Exhibit 5.**
 7. I have attached a true and correct copy of Defendant Shannon's Body Worn Camera disclosed to Plaintiffs as 00545 "5150_death" and attached as **Exhibit 6.**
 8. I have attached a true and correct copy of the WRAP Device Manual disclosed to Defendants as PLTF_000004-000017 attached as **Exhibit 7.**
 9. I have attached a true and correct copy of portions of Ofc. Wilson's deposition designated as the person most knowledgeable in regards to the Hayward Police Department's WRAP Device Training as **Exhibit 8.**
 10. I have attached a true and correct copy of Defendant Shannon's Body Worn Camera fram photo captured at 8:56 disclosed to Plaintiffs as 00545 "5150_death" and attached as **Exhibit 9.**
 11. I have attached a true and correct copy of the dispatch audio disclosed to Plaintiffs as 00546 "15-99780 Com 1" and attached as **Exhibit 10.**

12. I have attached a true and correct copy of portions of the Computer Automated Dispatch disclosed to Plaintiffs as 000181-182 and attached as **Exhibit 11**.

13. I have attached of true and correct copy of Defendant McCrea's Body Worn Camera disclosed to Plaintiffs as 00545 "5150(2)" at 10:58 and attached as **Exhibit 12**.

14. I have attached of true and correct copy of Defendant McCrea's Body Worn Camera disclosed to Plaintiffs as 00545 "5150(2)" at 13:26 and attached as **Exhibit 13**.

15. I have attached of true and correct copy of Defendant McCrea's Body Worn Camera disclosed to Plaintiffs as 00545 "5150(2)" at 13:53 and attached as **Exhibit 14**.

16. I have attached of true and correct copy of Defendant Padavana's Body Worn Camera disclosed to Plaintiffs as 00545 "5150 WI(1)" at 6:56 and attached as **Exhibit 15**.

17. I have attached a true and correct copy of portions of Decedent Roy Nelson II's Medical Records produced to the parties from St. Rose's Medical Center and attached as **Exhibit 16.**

18. I attached of true and correct copy of Defendant Padavana's Body Worn Camera disclosed to Plaintiffs as 00545 "5150 WI(1)" and attached as as **Exhibit 17**.

I declare under the penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated: December 31, 2018

THE LAW OFFICES OF JOHN L. BURRIS

/s/ Patrick M. Buelna
Patrick M. Buelna
Attorney for Plaintiff